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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,085	09/09/2003	Lawrence H. Freedlund	P02734	2728
28548	7590	05/04/2006	EXAMINER	
STONEMAN LAW OFFICES, LTD 3113 NORTH 3RD STREET PHOENIX, AZ 85012			CHIN, PAUL T	
			ART UNIT	PAPER NUMBER
			3652	

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/659,085

Applicant(s)

FREEDLUND, LAWRENCE H.

Examiner

PAUL T. CHIN

Art Unit

3652

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-9,11 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-9,11 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's amendments filed November 21, 2005, and February 23, 2006, and the arguments presented therewith have been fully considered and are persuasive. Therefore, the rejections have been withdrawn. However, the arguments are moot in view of a new ground(s) of rejection. A non-final office follows as below.

Claim Objections

2. Claims 1 and 6 are objected to because of the following informalities: it appears that the word "handles" (claim 1, line 10) should be changed to -- handle --, the word "support" (claim 6, line 1) should be changed to -- support means --, and the word "supporter" (claim 6, line 2) should be changed to -- support means --,. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-3, 5-9, 11, and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The exact meanings of the recited phrases "said transit means is located above said vertical blocking means" (claim 5) and "said at least one transit is located above said at least one vertical blocker" (claim 11) are not clearly understood as to how transit means is located above the vertical blocking means. Note applicant defines "the transit means" or "one transit" as "a vertical blocking means" or "a vertical blocker" in claim 1 or claim 7. Figure 2 shows that a barb hook (124) is located above a concave curve (137). Moreover, the recited phrase "a largest radius of an external perimeter of the holder" (claims 3 and 9) is vague and indefinite because "the holder" is not clearly defined as "a loop" or "a curve" or "a circular shape" before.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-3,5-9,11, and 14, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Le Roux (6,883,207).

Le Roux (6,883,207) discloses a handgrip holding system comprising at least one holder having at least one extended loop handle (Fig. 1) for carrying at least one shopping bag, a first support 108 having a substantially horizontal surface means, and transit means 110 having a barb hook (120), a second support 102 for support the first support, wherein the second support means comprises a handle 100 and the first support comprises a concave curve (see Exhibit A).

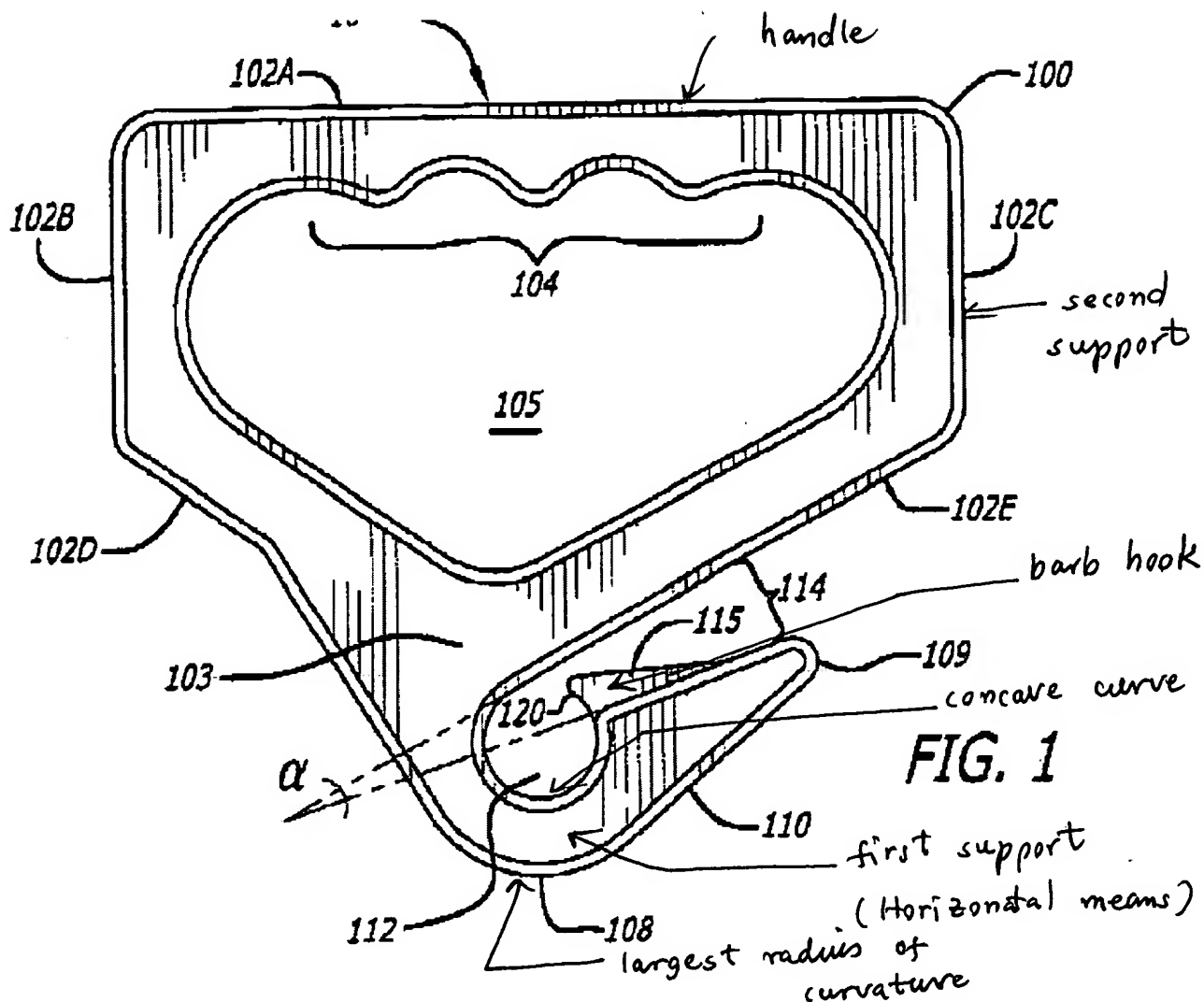
Re claims 2 and 8, figure 1 shows a centering means.

Re claims 3 and 9, Exhibit A shows the concave curve has a substantially similar radius of curvature as the largest radius of an external perimeter of the holder.

Re claims 5 and 11, figure 1, as best understood, shows the barb hook (120) being located above the concave curve.

Re claims 6 and 14, the first and second support members are coplanar.

EXHIBIT A



Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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8. Claims 1-3,5-9,11, and 14, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Miceli, Jr. (Des. 356,261) (see PTO-892) in view of Kosteniuk (5,645,306) (see PTO-892).

Miceli, Jr. (Des. 356,261) shows a handgrip holding system (see Exhibit B, next page) comprising at least one holder for carrying at least one shopping bag, having a first support having a substantially horizontal surface means, and transit means, a second support for support the first support, wherein the second support means comprises a handle and the first support comprises a concave curve (see fig. 1). Micelle, Jr. (Des. 356,261) does not show a barb hook. However, Kosteniuk (5,645,306) teaches a barb hook (40) to block an accidental slipping of the carried bags. Accordingly, it would have been obvious to those skilled in the art to provide a barb hook on the first horizontal means of Miceli, Jr. (Des. 356,261) as taught by Kosteniuk (5,645,306) to block the slipping of the carried bags.

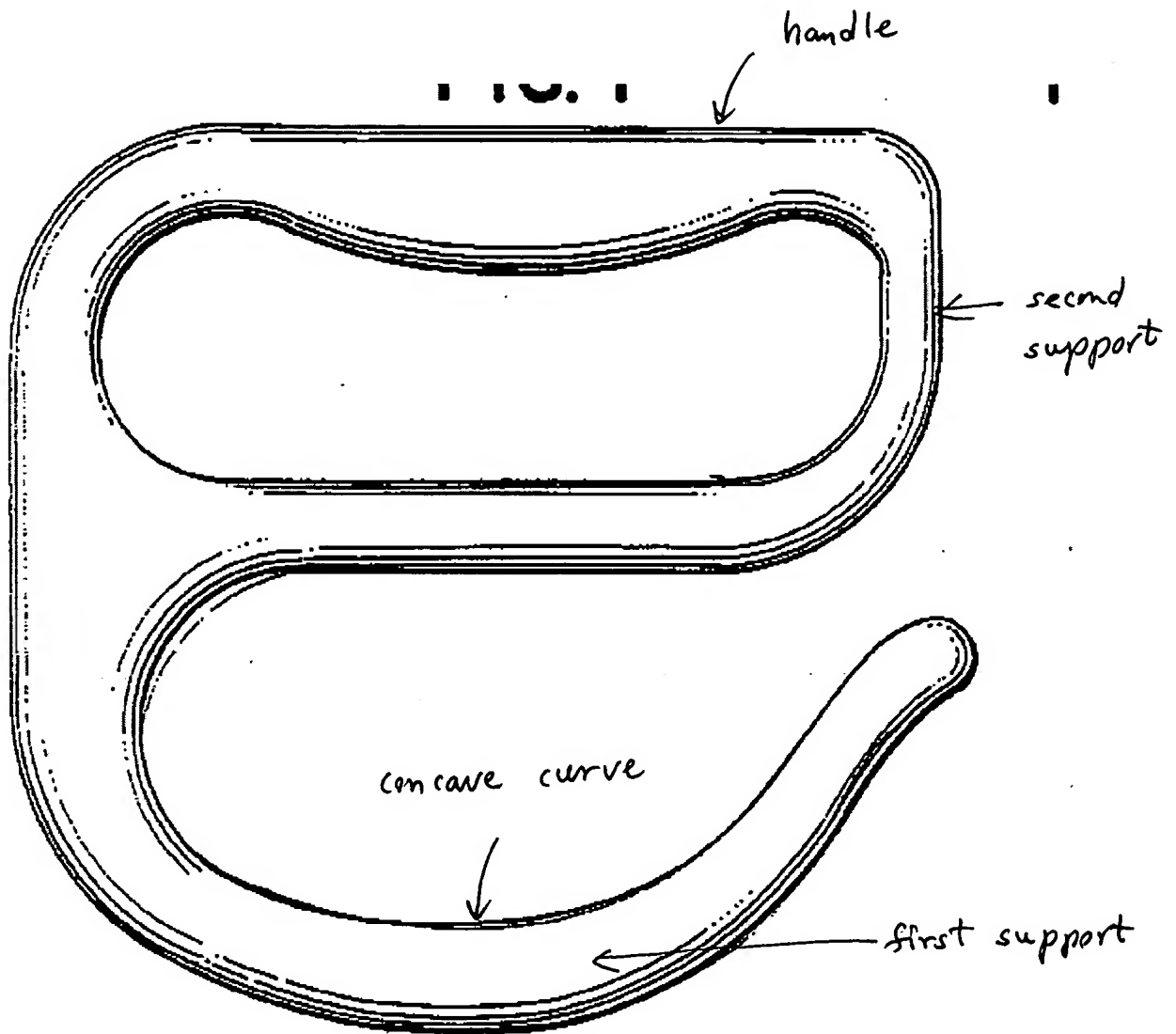
Re claims 2 and 8, figure 1 shows a centering means located in the middle of the handle 12.

Re claims 3 and 9, figure 1 substantially shows the radius of curvature of the first support has substantially similar radius of curvature as the largest radius of an external perimeter of the holder.

Re claims 6 and 14, the first and second support members are coplanar.

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EXHIBIT B



Response to Arguments

10. Applicant's arguments with respect to claims 1-3,5-9,11, and 14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL T. CHIN whose telephone number is (571) 272-6922. The examiner can normally be reached on MON-THURS (7:30 -6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EILEEN LILLIS can be reached on (571) 272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



PAUL T. CHIN
Examiner
Art Unit 3652